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15 **UNITED STATES DISTRICT COURT**  
16 **CENTRAL DISTRICT OF CALIFORNIA**  
17 **WESTERN DIVISION**

18 **Edwardo Munoz**, individually and on  
19 behalf of all others similarly situated,

20 Plaintiff,

21 v.

22 **7-Eleven, Inc.**, a Texas corporation,

23 Defendant.  
24  
25  
26  
27  
28

Case No. 2:18-cv-03893-RGK-AGR

**JOINT STIPULATION TO  
CONTINUE HEARING RE:  
MOTION FOR CLASS  
CERTIFICATION**

Complaint Filed: May 15, 2018

1 **TO THE HONORABLE COURT AND THE CLERK OF THE COURT:**

2 Pursuant to Local Civil Rules L.R. 7-1 and L.R. 7-11, Edwardo Munoz  
3 (“Plaintiff” or “Munoz”) and 7-Eleven, Inc. (“Defendant” or “7-Eleven”)  
4 (collectively with Plaintiff, the “Parties”), by and through their respective counsel  
5 of record, hereby stipulate and request that the Court enter an Order as follows:

6 WHEREAS, Plaintiff commenced this action on May 15, 2018;

7 WHEREAS, on July 23, 2018, Defendant filed and served its Notice of Motion and  
8 Motion to Dismiss, which is presently set for hearing on August 27, 2018;

9 WHEREAS, on August 13, 2018, Plaintiff filed and served his Notice of Motion  
10 and Motion for Class Certification, which is presently set for hearing on September  
11 10, 2018 [Dkt. #33];

12 WHEREAS, the Parties agree to continue the briefing and the hearing regarding  
13 Plaintiff’s Motion for Class Certification until after the hearing on Defendant’s  
14 Motion to Dismiss,

15 WHEREAS, this stipulation is not entered into for the purpose of delay;

16 WHEREAS, the Parties have not previously requested any continuances in this  
17 matter;

18 WHEREAS, no scheduling order has been entered and no trial date has been set for  
19 this case and the Parties believe that the granting of the herein requested  
20 continuance will not have any effect on the schedule for the case;

21 **NOW THEREFORE**, in consideration of the foregoing, the Parties, by and  
22 through their undersigned counsel, hereby stipulate, agree and request that the Court  
23 enter an Order as follows:

24 1. That the hearings on Plaintiff’s Motion for Class Certification be  
25 vacated and continued to October 15, 2018 at 9:00 a.m.;

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1 ///

2 **IT IS SO STIPULATED.**

3 Dated: August 16, 2018 WOODROW & PELUSO, LLC

4  
5 By: /s/ Patrick H. Peluso  
6 Patrick H. Peluso

7 *Counsel for Plaintiff and the Alleged Classes*

8  
9 Dated: August 16, 2018 CALL & JENSEN

10 By: /s/ Julie Trotter  
11 Julie Trotter

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13 *Counsel for Defendant*

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15  
16 **ATTESTATION PER LOCAL RULE 5-4.3.4(a)(2)**

17 Pursuant to LR 5-4.3.4(a)(2), I, Patrick H. Peluso, hereby certify and attest  
18 that on August 16, 2018, Julie Trotter authorized me to file this Joint Stipulation  
19 And [Proposed] Order to Continue Hearing on Plaintiff's Motion for Class  
20 Certification.

21  
22 Dated: August 16, 2018 /s/ Patrick H. Peluso

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above titled document was served upon counsel of record by filing such papers via the Court's ECF system on August 16, 2018.

/s/ Patrick H. Peluso